



W.P(MD)No.14877 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.06.2025

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P(MD)No.14877 of 2025

K.R.Baskar

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai East Taluk,
Madurai District,
Madurai.

3.The Taluk Surveyor,
Office of Madurai East Taluk Tahsildar,
Madurai East Taluk,
Madurai District.

4.The Inspector of Police,
Appanthirupathi Police Station,
Madurai District.

5.Karuppaiah @ Thangaraj

6.Sundaraja Perumal

7.Adaikalam

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to survey the lands situated in Punja S.No.128/5A, UDR S.No.2/5A, to an extent of 24 cents of Kadachanendal, Narasingam Bit III Village, Madurai East Taluk, Madurai District, by demarcating the boundaries, with the help of the 4th respondent by providing police protection, on the basis of the petitioner's representation dated 28.03.2025.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.A.Baskaran - for R1 to R3
Additional Government Pleader

Mr.M.Vaikkam Karunanithi - for R4
Government Advocate

ORDER

This writ petition has been filed seeking direction to the third respondent to survey the land situated in Punja S.No.128/5A, UDR S.No.2/5A to an extent of 24 cents of Kadachanendal, Narasingam Bit III Village, Madurai East Taluk, Madurai District, by considering his representation dated 28.03.2025.

2. Heard Mr.A.Baskaran, learned Additional Government Pleader appearing for respondents 1 to 3 and Mr.M.Vaikkam Karunanithi, learned Government Advocate appearing for Respondent No.4. By consent of both parties, this Writ Petition is taken up for disposal at the admission stage itself.



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3. The petitioner herein claims right over 24 cents of property in the above mentioned survey number under the Will executed by his grandfather and the settlement deed executed by his mother. According to him, one Karuppaiah @ Thangaraj, S/o.Ayyavur @ Adaikalam filed a civil suit against the petitioner in O.S.No.12 of 2025 on the file of the District Munsif Court, Melur, claiming tenancy right over the above mentioned properties. The petitioner wanted to survey the property in order to establish his right over the property before the Civil Court. Hence he submitted a representation dated 28.03.2025, seeking survey of the above mentioned property and the same was not considered. Therefore, the petitioner has filed this writ petition with the above prayer.

4. It is seen from the representation submitted by the petitioner that he wanted to establish his right over the subject property before the civil Court with the help of surveyor's report. When admittedly, civil suit is pending before the competent Court, the petitioner can seek survey of the property by filing an application before the concerned Court. Therefore, this Court is not inclined to entertain this writ petition.



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5. Accordingly, this Writ Petition is dismissed, however with the liberty to the petitioner to approach the Civil Court seeking survey of the subject property in the pending suit. No costs.

03.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

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